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UNCLAS ZAGREB 000425

SIPDIS

SENSITIVE

DEPARTMENT FOR EUR/SCE
THE HAGUE FOR JOHNSON AND KAYE

E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [KAWC](#) [HR](#)

SUBJECT: CROATIA'S NEW ICTY PIFWCS DEPART VOLUNTARILY FOR
THE HAGUE

REF: ZAGREB 380

INFORMATION IS SENSITIVE, BUT UNCLASSIFIED. PLEASE TREAT
ACCORDINGLY.

SUMMARY

1. (SBU) ON MARCH 11, AS EXPECTED, RETIRED CROATIAN GENERALS MLADEN MARKAC AND IVAN CERMAK DEPARTED VOLUNTARILY FOR THE HAGUE TO FACE WAR CRIMES INDICTMENTS. PRESS REPORTS INDICATE THAT MARKAC AND CERMAK WERE TAKEN INTO CUSTODY UPON ARRIVAL IN AMSTERDAM. ICTY ISSUED A STATEMENT WELCOMING CROATIA'S COOPERATION ON THIS CASE. POLITICAL REACTION IN ZAGREB HAS BEEN PREDICTABLE AND RELATIVELY MINIMAL. PM SANADER AND OTHER GOC OFFICIALS OBJECT TO THE INDICTMENT'S CHARACTERIZATION OF CROATIA'S WAR OF INDEPENDENCE AS A "CRIMINAL ENTERPRISE" BUT NOTE THAT THE PLACE TO VOICE THESE OBJECTIONS IS BEFORE THE COURT. MOST POLITICAL FIGURES SUPPORTED THE TRANSFER OF THE TWO INDICTEES. EXTREME RIGHT-WING POLITICIANS, HOWEVER, CALLED THE HDZ GOVERNMENT'S ACQUIESCENCE "HIGH TREASON." END SUMMARY.

2. (SBU) ACCORDING TO THE PRESS, THE CROWD THAT GATHERED AT ZAGREB'S AIRPORT ON THE MORNING OF MARCH 11 TO BID FAREWELL TO CROATIA'S LATEST ICTY INDICTEES WAS SMALL, WELL-BEHAVED AND MELANCHOLY, RATHER THAN ANGRY. RETIRED CROATIAN GENERALS MLADEN MARKAC AND IVAN CERMAK DEPARTED VOLUNTARILY FOR AMSTERDAM ON A REGULARLY-SCHEDULED FLIGHT. THE PRESS REPORTS THAT THEY WERE TAKEN INTO ICTY CUSTODY SHORTLY AFTER ARRIVAL.

3. (SBU) THERE WAS NEVER ANY REAL DOUBT AS TO WHETHER THE TWO WOULD SURRENDER (REF). THE FACT THAT THEY WERE THE NEXT LIKELY INDICTEES HAS BEEN AN OPEN SECRET IN THE CROATIAN PRESS FOR MONTHS. IN ALL OF HIS PUBLIC STATEMENTS, PM SANADER HAS CONSISTENTLY INSISTED THAT HIS GOVERNMENT WOULD COOPERATE FULLY WITH ICTY. SOME OPPOSITION LEADERS CALLED FOR A DEBATE ABOUT THE INDICTMENT IN THE PARLIAMENT, BUT THIS CALL WAS REJECTED BY THE GOVERNMENT. FORMER PM RACAN TOOK A CHEAP POLITICAL SHOT AT SANADER BY CALLING FOR "ALL HDZ MEMBERS TO SUPPORT THE GOVERNMENT'S DECISION." SANADER SHOT BACK BY CALLING ON ALL MEMBERS OF CROATIA'S SOCIAL DEMOCRATIC PARTY TO RE-ELECT RACAN AS PARTY PRESIDENT AND THEREBY ASSURE THE HDZ OF ANOTHER TERM IN OFFICE.

4. (SBU) SANADER OBJECTED TO LANGUAGE IN THE INDICTMENT WHICH BROADLY DESCRIBES THE ACTIONS BY CROATIAN FORCES IN "OPERATION STORM" AS A "JOINT CRIMINAL ENTERPRISE" AND NAMES FORMER PRESIDENT FRANJO TUDJMAN AS AN ACCOMPLICE. AMONG OTHER OBJECTIONS, SANADER BRISTLED AT LANGUAGE THROUGHOUT THE INDICTMENT WHICH STATES THAT THE GOAL OF CROATIAN FORCES' ACTION WAS THE DEPORTATION AND FORCED DISPLACEMENT OF ETHNIC SERBS FROM THE KRAJINA REGION. BUT TO HIS CREDIT, SANADER INSISTED THAT THE ONLY APPROPRIATE PLACE TO VOICE THESE OBJECTIONS IS BEFORE THE COURT. FEW CROATIAN POLITICIANS ARE DISCUSSING THE INDICTMENT'S DAMNING DESCRIPTIONS OF MURDERS, PLUNDER AND WANTON DESTRUCTION IN THE KRAJINA REGION FOLLOWING "OPERATION STORM."

5. (SBU) THE MOST OUTRAGEOUS OBJECTIONS TO THE GOC DECISION TO TRANSFER MARKAC AND CERMAK CAME FROM IVIC PASALIC AND MIRKO CONDIC. (NOTE: IVIC PASALIC CHALLENGED SANADER FOR THE PRESIDENCY OF THE HDZ PARTY IN 2002 AND NARROWLY LOST; HE THEN FORMED THE "CROATIAN BLOC" PARTY, WHICH WON NOT A SINGLE SEAT IN RECENT PARLIAMENTARY ELECTIONS. CONDIC HEADS A HIGHLY POLITICIZED CROATIAN VETERANS ORGANIZATION.) PASALIC AND CONDIC ACCUSED SANADER OF "HIGH TREASON."

6. (SBU) INITIAL PUBLIC REACTIONS TO THE GOC'S DEMONSTRATION OF COMMITMENT TO COOPERATION WITH ICTY ARE POSITIVE. ICTY SPOKESWOMAN FLORENCE HARTMANN TOLD THE PRESS THAT THE COURT WELCOMES THE "ENCOURAGING STEP" AND THAT "PROGRESS HAD BEEN MADE." SHE ALSO SAID THAT SHE "EXPECTS CROATIA TO PROCEED WITH ALL OTEHR REQUESTS MADE BY THE TRIBUNAL," A CLEAR REFERENCE TO